## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES PISANO : CIVIL ACTION FILED

OCT 2 1 2009

NATIONWIDE MUTUAL FIRE : MICHAEL E. KUNZ, Clerk
By\_\_\_\_\_\_ Dep. Clerk

INSURANCE COMPANY : NO. 08-2524

v.

## <u>ORDER</u>

AND NOW, this 21<sup>st</sup> day of October, 2009, upon consideration of Defendant Nationwide Mutual Fire Insurance Company's Motion for Summary Judgment, the response filed in opposition, the reply briefs thereto and after argument, it is hereby **ORDERED** that Defendant's Motion is **GRANTED**. Plaintiff's claim for basement damages under Count I, and Plaintiff's bad faith claim, Count II, are dismissed.

BY THE COURT:

Mitchell S. Goldberg, J.